

STAFF REPORT

Meeting Date: January 19, 2005

TO: LAFCO Commissioners

FROM: Everett Millais, Executive Officer

SUBJECT: Appointment of Alternate Public Member

RECOMMENDATION:

Appoint Louis Cunningham as the Alternate Public Member of the Commission to a new four-year term commencing on January 1, 2005.

DISCUSSION:

In September 2004 the Commission authorized recruiting for an Alternate Public Member to begin a new four-year term starting January 1, 2005. In October the Commission appointed an Ad Hoc Alternate Public Member Selection Committee consisting of Commissioners Parks, Richardson and Waunch. The Committee was charged with reviewing the letters of interest received, interviewing the top candidates and making a recommendation to the full Commission.

The recruitment process for the Alternate Public Member began in late September and consisted of a press release, four display notices published in the Ventura County Star over a period of four weeks, and posted notice on the Ventura LAFCO web site and at the County Government Center. Interested individuals were asked to submit a letter of interest and a brief resume on or before Friday, October 29, 2004.

By the Friday, October 29 deadline a total of 13 letters of interest were received, including a letter of interest and a resume from former Public Member Cunningham. After reviewing all of the letters of interest, the Ad Hoc Committee decided to interview

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Don Waunch John Zaragoza <i>Alternate:</i> Janice Parvin	SPECIAL DISTRICT: Ted Grandsen Dick Richardson <i>Alternate:</i> George Lange	PUBLIC: Kenneth M. Hess <i>Alternate:</i> Vacant
EXECUTIVE OFFICER: Everett Millais	LAFCO ANALYST: Vacant	OFFICE MANAGER/CLERK: Debbie Schubert	LEGAL COUNSEL: Leroy Smith

six candidates, plus to consider the letter of interest from former Public Member Cunningham.

The Committee held interviews on Wednesday, December 9. After the interviews were complete the Committee unanimously recommended that former Public Member Cunningham be appointed as the Alternate Public Member.

The Public Member and the Alternate Public Member are the only LAFCO Commissioners who are appointed by LAFCO. The appointments are governed both by State law and by the Commission's By-laws. State law provides that terms of office are for four years and that selection of the Public Member and Alternate Public Member, "... shall be subject to the affirmative vote of at least one of member selected by each of the appointing authorities." (i.e. the County Board of Supervisors, the City Selection Committee and the Independent Special Districts Selection Committee) (Gov. Code §56325(d)). The law also indicates that the Alternate Public Member, "...may serve and vote in place of a regular public member who is absent or who disqualifies himself or herself from participating in a meeting of the commission." (Gov. Code §56331) Also, no person appointed as a Public Member or Alternate Public Member shall be an officer or employee of the County or any city or special district in the County. (Gov. Code §56331).

The Commission's By-laws provide that the Public Member and Alternate Public Member shall not hold two consecutive terms as the Public Member or the Alternate Public Member. The By-laws, however, contain no prohibition about an Alternate Public member being appointed as the Regular Member or the Regular Member being appointed as the Alternate Member. The By-laws also provide that Alternate Members may participate fully in all meetings, except they are eligible to make motions, vote or to attend closed session meetings only in the absence of the regular member for which they are an alternate. (Commissioner's Handbook, Sections 1.1.3.3 and 1.1.3.4)